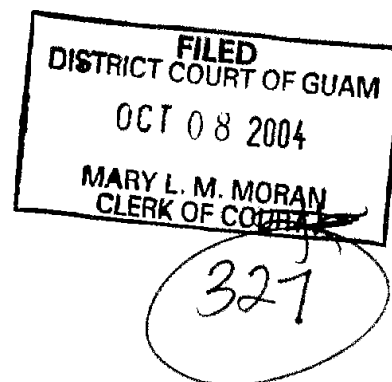


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Attorneys for Defendant The Hongkong and Shanghai Banking Corporation Ltd.

IN THE DISTRICT COURT OF GUAM

ALAN SADHWANI, LAJU)
SADHWANI, and K. SADHWANI'S)
INC., a Guam corporation,)
)
Plaintiffs,)
)
v.)
)
HONGKONG AND SHANGHAI)
BANKING CORPORATION, LTD.,)
et al.,)
)
Defendants.)
_____)

CIVIL CASE NO. 03-00036
**DECLARATION OF RICHARD A.
PIPES IN SUPPORT OF
EX PARTE APPLICATION ON
MOTION FOR PROTECTIVE
ORDER**

I, RICHARD A. PIPES, do hereby declare as follows:

1. I am over the age of eighteen (18) years and competent to make this Declaration.

I have personal knowledge of the matters stated herein and would be competent to testify

ORIGINAL

thereto at any proceedings.

2. I am admitted to practice before this Court and am co-counsel responsible for the representation of Defendant The Hongkong and Shanghai Banking Corporation Limited ("HSBC"). I hereby certify that I met and conferred with counsel for Plaintiffs, Anita Arriola, Esq., on October 6, 2004, in an effort to resolve the dispute without court action and was unable to do so. A good faith effort has been made by counsel to advise counsel for Plaintiffs of the substance of HSBC's Ex Parte Application on Motion for Protective Order ("Ex Parte Application"). A copy of the letter from Jacques G. Bronze advising Plaintiffs' counsel of the substance of the Ex Parte Application is attached hereto as Exhibit "A" and incorporated herein by this reference. Copies of all pleadings relating to the Ex Parte Application and underlying Motion have been or will be served upon Plaintiffs' counsel on filing with this Court. The date and time the Court will consider the Ex Parte Application is not yet known. However, as soon as such information is made available to my office we will advise Plaintiffs' attorneys.

3. It is expected that counsel for Plaintiffs will oppose the Ex Parte Application and will desire to be present if and when the Ex Parte Application is either presented to or heard by the Court.

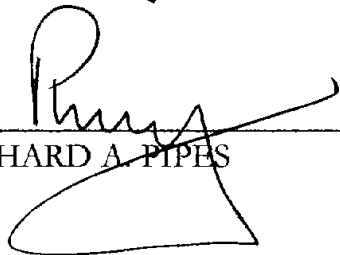
4. It is important and urgent that the Ex Parte Application and underlying Motion be heard as soon as possible because Plaintiffs have improperly noticed in Guam the depositions of Christopher Page and Magnus Montan, residents of Hong Kong, on October 12 and 14, 2004, respectively, as more particularly described in the accompanying memorandum

of points and authorities.

5. This Declaration is made in compliance with FRCP 26(c) and Local Rule 7.1(j)(1).

I declare under penalty of perjury under the laws of the United States and Guam that the foregoing is true and correct.

Dated this 8th day of October, 2004.



RICHARD A. PIPES

RAP/nsh

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JACQUES G. BRONZE
JERRY J. TANG

TELEPHONE: (671) 646-2001
TELECOPIER: (671) 647-7671

October 7, 2004

VIA: FACSIMILE
(671) 477-9734

CONFIRMED

Anita P. Arriola, Esq.
ARRIOLA, COWAN & ARRIOLA
Suite 201, C&A Professional Bldg.
259 Martyr Street
Hagåtña, Guam 96910

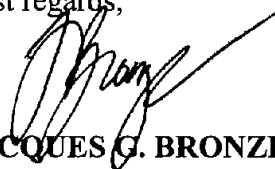
Re: Sadhwani, et al. v. HSBC, et al.; Civil Case No. 03-00036

Dear Anita:

HSBC will be filing an *Ex Parte* Application on Motion for Protective Order no later than 2:00 p.m., on Friday, October 8, 2004. Pursuant to Local Rule 7.1(j), please be advised that we will be submitting an *ex parte* application and declaration in support of the proposed order granting the protective order requested in the motion. We do not know when the *ex parte* application will be heard by the Court, but we will advise your office as soon as we know. Unless we otherwise hear from you, we will assume that you oppose the application and wish to be present when the matter is presented to the Court.

Please feel free to contact me if you have any questions regarding the above matter.

Best regards,



JACQUES G. BRONZE

cc: *Mr. C. Underwood

JGB:kbm

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EXHIBIT

u A u

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FACSIMILE No.: (671) 647-7671

~ ~ **FACSIMILE TRANSMITTAL SHEET** ~ ~

Date: October 7, 2004
To: Anita P. Arriola, Esq.
Firm: **ARRIOLA, COWAN & ARRIOLA**
Fax No: 477-9734
From: Jacques G. Bronze, Esq.
Subject: **Sadhwani, et al. v. HSBC, et al.**; Civil Case No. 03-00036

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TAMMING, GUAM 96913

TELEPHONE No.: (971) 644-2001

FACSIMILE No.: (971) 647-7871

~ ~ FACSIMILE TRANSMITTAL SHEET ~ ~

Date: October 7, 2004
To: Anita P. Amola, Esq.
Firm: **ARRIOLA, COWAN & ARRIOLA**
Fax No: 477-9734
From: Jacques G. Bronze, Esq.
Subject: Sedwani, et al. v. HSBC, et al.; Civil Case No. 03-00036

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DR: Document Removed
FO: Forced Output

MB: Receive to Mailbox
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TM: Terminated by user
WT: Waiting Transfer